



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

October 9, 2001

Allison L. Speiser
Edison Wetlands Association
4055 Woodbridge Avenue
Edison, New Jersey 08837

RE: Freedom of Information Act Request for the Cornell-Dubilier
Electronics Superfund Site (RIN-01800-01).

Dear Ms. Speiser:

Pursuant to your written Freedom of Information Act (FOIA)
request, and our subsequent telephone conversations, attached is
a copy of the documents you requested for the Cornell-Dubilier
Electronics Superfund site.

If you have any questions, please feel free to contact me at
(212) 637-4395.

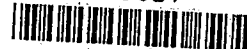
Sincerely,

A handwritten signature in black ink, appearing to read "Peter M.", followed by a long horizontal line.

Peter Mannino
Remedial Project Manager

Enclosures

299037



PETE MANNINO
Freedom of Information Act Request
02-RIN-01800-01

*19th
plw
N.S.R.B.*

Requestor: ALLISON SPEISER **Request Date:** 06/21/2001
Company: EDISON WETLANDS ASSOCIATION **Date Received:** 06/21/2001
Fee Category: OTHER **Acknowledged:** 06/27/2001

Subject: CORNELL DUBLIER SUPERFUND SITE

Lead Office:

Assigned to: 02-ERRD

Original Due Date: 07/20/2001

New Due Date:

Track: BASIC

Fee Waiver Requested: YES

FIS Initials: WV

SPECIAL INSTRUCTIONS:

7/1
**THIS REQUESTOR IS ALLOWED
100 PAGES FREE & FIRST 2
HOURS OF SEARCH TIME**

**FOI'S CORRESPONDENCE MUST BE
ANSWERED WITHIN 20 WORKDAYS--OR
AN INTERIM REPLY PREPARED PRIOR
TO EXPIRATION OF THE 20 WORKDAYS.**

REC'D BY: _____

DATE _____

1) Requestor's Name:
Allison L Speiser
10) Fee Commitment:
requesting fee waiver
2) Requestor's Company Name:
Edison Wetlands Association
3) Requestor's Mailing Address:
4055 Woodbridge Ave
4) Requestor's City/State/ZIP:
Edison, NJ 08837
5) Requestor's E-mail:
raritan1@aol.com
6) Requestor's Phone#:
(732) 661 1660

7) These are the names of
the facilities I'm inquiring about, and documents I'd like to receive:
Requesting complete data package for Phase I sampling for on and off site AS
PROMISED by Project Manager Pete Manino. Also requesting all correspondence on
this issue. Additionally requesting Phase II work plan.
Cornell Dublier Superfund Site; South Plainfield, NJ

8) I'm requesting records for facilities under these
Federal environmental laws:
EPA, CERCLA - Superfund

9) I need database lists for a ZIP
code area, and am indicating whether I need a printout or diskette:

ADDTL INFO RELEVANT TO FW REQUEST

The Edison Wetlands Association is a not-for-profit organization whose
interests are in the protection and preservation of the environment. It is our
hope that you make a favorable determination regarding our request. Thank you
in advance for your time in regards to this matter.

BENEFIT TO PUBLIC FROM RELEASE OF DOCUMENTS

There is a valid right to know what risk is posed to residents and what the
impacts will be on the natural environment.

INTENDED USE OF DOCUMENTS REQUESTED

The Edison Wetlands Association intends to use the information requested to
better understand potential risks posed by the Cornell Dublier Site.

PLAN TO DISSEMINATE DOCUMENTS TO PUBLIC

We will disseminate information to the public on an as-need basis.

STATEMENT OF QUALIFICATION FOR SPECIALIZED USE OF DOCUMENTS

The Edison Wetlands Association intends to have our technical advisors review
and summarize the data requested.

WARNING NOTICE

This electronic mail originated from a federal government
computer system of the United States Environmental
Protection Agency (EPA). Unauthorized access or use
of this EPA system may subject violators to criminal,
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access or use, authorized and unauthorized, of this EPA
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terms.

This information is for tracking purposes only.

Other fee
category
fee waiver requested
ERND

~~the message~~
spoke w/ Bob Spiesel
on 9/7. Told
him that response
is being prepared.

10/9 - Left voice
mail message
stating that
response was
mailed.



Internet Daemon
Owner
<idaemon@mountain.
epa.gov>

To: Region2 FOIA@EPA
cc:
Subject: (171154516) WWW Feedback, FOIA Request via the WWW

06/21/01 03:45 PM

Pursuant to the Electronic Freedom of Information Act of 1996, agencies are required to submit an annual report to Congress capturing actual costs to implement the Act. Therefore, this worksheet must be completed if 15 minutes or more are spent responding to request, EVEN if no charges are billed to the requester. (If processing time is less than 15 minutes there's no need to fill out worksheet although you must indicate that time was less than 15 minutes

IMPORTANT: THIS COST IS DIFFERENT FROM THE FEES BILLED TO THE REQUESTER WHICH ARE INCLUDED IN THE FEE SCHEDULE SECTION OF OUR FOIA REGULATIONS/MANUAL. THAT FEE SCHEDULE REMAINS THE SAME

COST RECOVERY WORKSHEET/INTERNAL REPORTING

RESPONSE PREPARATION TIME includes search, review, copying, transportation of records writing and/or typing response letter etc.. (BASED ON HOURLY SALARY RATE):

-CLERICAL/SUPPORT PERSONNEL spent minutes 0 = \$ 0

-LEGAL PERSONNEL spent minutes 0 = \$ 0

-MANAGERIAL PERSONNEL spent minutes 0 = \$ 0

- RESPONDER-SUBJECT MATTER spent minutes 240 = \$ 136.00
minutes

TOTAL TIME SPENT (equals adding above times): 4 (minutes/hours)

OF PAGES ~2,700 X \$.15 TOTAL \$405

COMPUTER TIME/PROGRAMMING COST: -

MAPS, DISKS/CD ROM, PHOTOS, ETC.. TOTAL COST: -


MAILING/POSTAGE: unknown

OTHER ACTUAL COSTS: -

TOTAL DOLLAR AMOUNT: \$541.00

DATE: 10/9/01 FOIA #: 02-RIN-01800-01

PROGRAM OFFICE: ERRD



Edison Wetlands Association, Inc.
4055 Woodbridge Avenue
Edison, New Jersey 08837-3308
Telephone 732-661-1660 FAX 732-661-9640
www.edisonwetlands.org edtan1@aol.com
A 501(c)(3) Nonprofit Corporation

Wanda Vasquez
Freedom of Information Officer 2CD
United States Environmental Protection Agency
EPA Region 2, 290 Broadway, 26th Floor (CD)
New York, NY 10007

August 22, 2001

Re: FOIA, 5 USC 552;
Request No. 02-RIN-01800-01

Ms. Vasquez:

In regards to our request for records relating to the Cornell Dubilier Superfund Site, below please find detailed explanations addressing each of the six factors as listed in your letter dated August 22, 2001. We hope that this will be sufficient for the FOIA to see that we have met the statutory requirements.

Item 1: The Subject matter of the requested records must specifically concern identifiable operations or activities of the government. A request for access to records for their informational content alone does not satisfy this factor.

Response 1: The United States Environmental Protection Agency (US EPA) has been involved with the Cornell Dubilier Superfund Site directly since its proposal for listing to the National Priorities List (NPL) on September 25, 1997. Since that time, the US EPA's operations and activities have been ongoing. Recently, a series of testing has been completed that the Edison Wetlands Association believes would be of concern to the residents in the area, as well as to human health and the environment at large. We are not requesting access to records for their informational content alone.

Item 2: For the disclosure to be "likely to contribute" to an understanding of specific government operations or activities, the releasable material must be meaningfully informative in relation to the subject matter of request.

Response 2: The material we are requesting is meaningfully informative in direct relation to the subject matter of our request. We are requesting the data and all information and material related to the data of the latest round of EPA testing on the Cornell Dubilier Superfund Site, the surrounding area and the residential

areas in the vicinity. The disclosure of this material will contribute to an understanding of specific government operations and activities, specifically due to the nature of the requested material.

Item 3: The disclosure must contribute to the understanding of the public at large, as opposed to the understanding of the requester or a narrow segment of interested persons. One's status as a representative of the news media alone is not enough.

Response 3: The material disclosed will be reviewed first by the Edison Wetlands Association and affiliated technical advisors, and will then be shared through several means with the public at large. The Edison Wetlands Association is not interested in limiting the understanding of this material to specific individuals or specific groups. The Edison Wetlands Association has never been and is not a representative of any news media.

Item 4: The disclosure must contribute "significantly" to public understanding of government operations or activities.

Response 4: The Edison Wetlands Association is committed to using the disclosed material to contribute significantly and substantially to public awareness and understanding of government operations and or activities. Specifically in this issue, there is a public need for the understanding of government operations and or activities at this site. With the disclosed material, the Edison Wetlands Association will be able to provide the public with a comprehensive understanding of government operations and or activities related to this issue at the Cornell Dubilier Superfund Site.

Item 5: The extent to which disclosure will serve the requester's commercial interest, if any.

Response 5: The Edison Wetlands Association has no commercial interest in the disclosure of this material. The Edison Wetlands Association is a 501(c)(3) nonprofit corporation, dedicated to protecting environmentally sensitive areas of Central New Jersey through education, action and public awareness.

Item 6: The extent to which the identified public interest in the disclosure outweighs the requester's commercial interest.

Response 6: As previously stated, the Edison Wetlands Association has no commercial interest whatsoever. Therefore the identified public interest in the disclosure is our only interest in this matter.

The Edison Wetlands Association intends to use the information requested to better understand potential risks posed by the Cornell Dubilier Superfund Site, and then help the public to understand this as well. Although exact actions are


yet to be determined, we intend to review the data, prepare fact sheets and brochures for distribution to those who live and work in the area, and to those who are otherwise come in contact or have interest in the region. We also intend to share the information with the South Plainfield Environmental Commission, mayor and council. In addition, we may sponsor public hearings to allow for greater distribution of the information.

Ms. Vasquez, I hope that this is helpful in determining a favorable decision towards the fee waiver for our FOIA request. Please feel free to contact our office should you need any further information.

Sincerely,

Robert Spiegel
Executive Director

RS/als


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Edison, New Jersey 08837-3308
Telephone 732-661-1660 FAX 732-661-9640
www.edisonwetlands.org mailtan1@aol.com
A 501(c)(3) Nonprofit Corporation

Peter Mannino
Project Manager
US EPA Region 2

August 23, 2001

Re: Release of Data for Cornell Dubilier Superfund Site

Mr. Mannino:

The Edison Wetlands Association appreciates your effort to assist us in obtaining materials requested in our FOIA request dated June 21, 2001 in regards to the Cornell Dubilier Superfund Site in South Plainfield, NJ. While we are still waiting for our FOIA to be processed due to the delay caused by the fee waiver, we are making the following request.

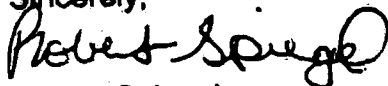
Per a recent conversation with you, it was made clear that the first 100 pages copied would be without charge to the Edison Wetlands Association. We are requesting that 100 pages of specific residential sampling results of PCB testing that exceeded either the US EPA or the NJ DEP unrestricted soil criteria of 0.49 parts per million (ppm) be released to us. At this point, we are not requesting any quality assurance or quality control (QA/QC) information, although we do continue to request that information in our original FOIA request.

The 100 pages that we are entitled to should be restricted to specific test results and associated maps from sampling that occurred in local households.

We hope that the EPA will understand that further delays on this matter are unacceptable.

Thank you for your prompt attention to this matter.

Sincerely,



Robert Spiegel
Executive Director

RS/als

cc: Wanda Vasquez, Freedom of Information Officer 2CD
Senator Jon Corzine, with separate cover
Congressman Mike Ferguson, with separate cover



UNITED STATES ENVIRONMENTAL PROTECTION
AGENCY
EPA Region 2, 290 Broadway, 26th Floor (CD)
NEW YORK, NY 10007

August 22, 2001

Ms. ALLISON SPEISER
EDISON WETLANDS ASSOCIATION
4055 WOODBRIDGE AVE
Edison, NJ 08837

RE: Freedom of Information Act ("FOIA"), 5 U.S.C. 552
Request No. 02-RIN-01800-01

Dear Ms. ALLISON SPEISER:

By letter dated, June 21, 2001, received in this office on June 21, 2001, you asked for records related to CORNELL DUBLIER SUPERFUND SITE and for a waiver of fees in connection with that request.

For purposes of justifying or granting a waiver of processing fees, the FOIA directs agencies to furnish records without any charge or at a reduced charge "if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. 552(a)(4)(A)(iii)(1994 & Supp. IV 1998). Requests for fee waivers must be considered **on a case-by-case basis** and address the requirements for a fee waiver in sufficient detail for the agencies to make an informed decision as to whether it can waive the fees in question. See U.S. Department of Justice, Freedom of Information Act Guide & Privacy Act Overview 502 (May 2000 Edition). In determining whether the statutory requirements are met, agencies must consider six factors in sequence. Id. at 504 - 513. These factors are summarized below.

1. The subject matter of the requested records must specifically concern identifiable operations or activities of the government. A request for access to records for their informational content alone does not satisfy this factor.
2. For the disclosure to be "likely to contribute" to an understanding of specific government operations or activities, the releasable material must be meaningfully informative in relation to the subject matter of the request.
3. The disclosure must contribute to the understanding of the public at large, as opposed to the understanding of the requester or a narrow segment of interested persons. One's status as a representative of the news media alone is not enough.
4. The disclosure must contribute "significantly" to public understanding of government operations or activities.
5. The extent to which disclosure will serve the requester's commercial interest, if any.

6. The extent to which the identified public interest in the disclosure outweighs the requester's commercial interest.

Having reviewed the information in your letter, we have placed your request in the "other" fee category, which entitles you to two hours of search and review and 100 pages of copies at no charge. However, should you wish to receive a fee waiver beyond that to which you are already entitled, you must address, in sufficient detail, these six factors. Accordingly, your FOIA request will be placed on hold until we receive your detailed response. You may send your response by facsimile to this office (212)637-5046. If we do not hear from you by September 4, 2001, we will issue a determination on your request for a waiver of fees based solely on the information already provided in your request letter. Should you have any questions, please contact me directly on (212)637-3668 .

Sincerely,

A handwritten signature in cursive script, appearing to read "Wanda Vasquez".

Freedom of Information Officer 2CD

Office: (212)637-3668

Fax: (212)637-5046

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OF PAGES _____ X \$.15 TOTAL _____

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MAILING/POSTAGE: _____

OTHER ACTUAL COSTS: _____

TOTAL DOLLAR AMOUNT: _____

DATE: _____ FOIA #: _____

PROGRAM OFFICE: _____